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May 27, 2022

Iowa Utility Board  
1375 E. Court Ave  
Des Moines, IA 50319

**RE: Request for Requirement of an Environmental Impact Study**

To Whom It May Concern,

On behalf of my client, the Winnebago Tribe of Nebraska, I write to share with you Winnebago Tribal Council Resolution # 22-88 and to formally request that an environmental impact study be conducted prior to the issuance of any permits to the Summit Carbon Solutions Pipeline and Navigator Heartland Greenway Carbon Pipeline.

Both of these proposed pipelines would cross land on or near the Winnebago Tribe as well as the Missouri River. Any pipeline project is a risk; as a permit issuing body, neither you nor the general public can make an informed decision without know the potential environmental impacts. The Tribe cares very deeply about this issue and any potential impacts on the environment. Above all, the Tribe opposes the issuance of any permit that could negatively impact its lands or water or that of its neighbors.

For these reasons, the Winnebago Tribe respectfully requests that an Environment Impact Study be conducted prior to the issuance of any permits for either the Summit Carbon Solutions Pipeline or the Navigator Heartland Greenway Carbon Pipeline.

I ask that you notify me of your response to this request in writing. Please feel free to contact me should you have any questions. Thank you for your consideration and concern for the environment.

Enclosure

# WINNEBAGO TRIBE OF NEBRASKA

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## RESOLUTION # 22-88

### REQUESTING THAT AN ENVIRONMENTAL IMPACT STUDY BE CONDUCTED PRIOR TO THE ISSUANCE OF ANY PERMITS TO THE SUMMIT CARBON PIPELINE AND NAVIGATOR HEARTLAND GREENWAY CARBON PIPELINE

**WHEREAS,** the Winnebago Tribe of Nebraska is a federally recognized Indian Tribe organized pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984), (25 U.S.C. § 5123) as amended by the Act of June 15, 1935, (49 Stat. 378); and

**WHEREAS,** pursuant to Article III of the Winnebago Tribal Constitution, the governing body of the Tribe shall be the Tribal Council; and

**WHEREAS,** pursuant to Article IV Section 1(c) of the Winnebago Tribal Constitution, and its inherent powers of self-government, the Tribal Council is vested with the power, *inter alia*, "To safeguard and promote the peace, safety, morals, and general welfare of the Tribe"; and

**WHEREAS,** pursuant to Article IV Section 1(p) of the Winnebago Tribal Constitution, and its inherent powers of self-government, the Tribal Council is vested with the power, *inter alia*, "To protect and preserve the property, wildlife and natural resources of the Tribe"; and

**WHEREAS,** pursuant to Article IV Section 1(q) of the Winnebago Tribal Constitution, and its inherent powers of self-government, the Tribal Council is vested with the power, *inter alia*, "To promulgate and enforce statutes governing the conduct of persons located within or passing through the Reservation and providing for maintenance of law and order and the administration of justice"; and

**WHEREAS,** the Summit Carbon Solutions Pipeline and the Navigator Heartland Greenway Carbon Pipeline are proposed projects that would cross land on or near the Winnebago Tribe as well as crossing the Missouri River; and

**WHEREAS,** any pipeline project carries great risks to land and water. An Environmental Impact Study would outline the effects of the proposed pipelines on the environment and should provide sufficient information to evaluate the relative merits of the proposed pipelines and alternatives. The permit-issuing bodies cannot make reasoned or informed decisions without this information. Nor can the general public.

**WHEREAS,** the Winnebago Tribe has consistently opposed the issuance of pipeline permits that could negatively impact our lands or water and now requests that no permit be issued for the Summit Carbon Solutions Pipeline or the Navigator Heartland Greenway Carbon Pipeline prior to conducting an Environmental Impact Study.

**NOW, THEREFORE, BE IT RESOLVED** that the Winnebago Tribal Council hereby requests that an Environmental Impact Study be conducted prior to the issuance of any permit to the

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Summit Carbon Solutions Pipeline or the Navigator Heartland Greenway Carbon Pipeline.

**BE IT FURTHER RESOLVED** that the Winnebago Tribal Council calls upon the Omaha Office of the U.S. Army Corps of Engineers to require an Environmental Impact Study be conducted prior to the issuance of any permit to the Summit Carbon Solutions Pipeline or the Navigator Heartland Greenway Carbon Pipeline.

**BE IT FURTHER RESOLVED** that the Winnebago Tribal Council calls upon the Iowa Utility Board to require an Environmental Impact Study be conducted prior to the issuance of any permit to the Summit Carbon Solutions Pipeline or the Navigator Heartland Greenway Carbon Pipeline.

**BE IT FURTHER RESOLVED** that the Winnebago Tribal Council calls upon the Dakota County Commissioners to require an Environmental Impact Study be conducted prior to the issuance of any permit to the Summit Carbon Solutions Pipeline or the Navigator Heartland Greenway Carbon Pipeline.

**BE IT FURTHER RESOLVED** that the Winnebago Tribal Council calls upon the Woodbury County Commissioners to require an Environmental Impact Study be conducted prior to the issuance of any permit to the Summit Carbon Solutions Pipeline or the Navigator Heartland Greenway Carbon Pipeline.

**BE IT FINALLY RESOLVED** that the Winnebago Tribal Council calls upon any and all other entities impacted by the Summit Carbon Solutions Pipeline or the Navigator Heartland Greenway Carbon Pipeline to require an Environmental Impact Study to be first conducted prior to the issuance of any permit.

#### C E R T I F I C A T I O N

We, the undersigned Officers of the Winnebago Tribal Council, hereby certify that on March 24, 2022 at a meeting duly convened by the Winnebago Tribal Council, voted to adopt the above Resolution by a vote of 8 for, 0 against, 0 abstentions, with the Chairperson not voting and 0 Member(s) not present.

Dated this 24 day of March, 2022.

Attest:

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